

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 07-0309 WHA

Plaintiff,

v.

**ORDER DENYING DEFENDANT'S
MOTION FOR RECONSIDERATION
AND NEW HEARING**


JOSE JESUS MADRIGAL-DIAZ,

Defendant.

Defendant moves for reconsideration of the order denying his Section 2255 motion and for a new hearing. He states that he is entitled to such relief because of "ineffective arguments[] and omissions by counsel." As defendant has not been granted leave to file a motion for reconsideration and as his motion does not otherwise meet the requirements of Civil Local Rule 7-9, applicable here via Criminal Local Rule 2-1, defendant's motion is **DENIED**. Defendant's request to remain at the Dublin detention facility pending appeal is **DENIED**, as such decision is up to the Bureau of Prisons. The Clerk shall serve this order on defendant.

IT IS SO ORDERED.

Dated: June 8, 2011.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE